

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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COLUMBIA GAS TRANSMISSION :
CORPORATION, :

Plaintiff, :

- against - :

LEWIS PERRY, YOLANDA PERRY, :
ALEXANDER ROAD ASSOCIATION, INC., :
ANTHONY VULPONE, ESTATE OF ANTHONY :
VULPONE, ROBERT ANTALOCY, :
THOMAS HARRIS, DOLORES A. KORZ, :
JOHN P. KILDUFF, KENNETH LEE d/b/a :
"I CAN GET IT FOR YOU WHOLESALE", :
SALLIE E. HARMON, PAUL RUGGIERO, :
MICHELLE RUGGIERO, TERRANCE :
DONNARY, ANDREW PERNA, KAREN :
PERNA, ROBERT McMAHON, CARL :
McMAHON, KELVIN M. LEWIS, MARCHELLE :
KIRBY, JHON GORDON, RUTH MONROE, :
EDWARD R. MATEO, ROSANN P. MATEO, :
ADAM DORAN, NICOLE DORAN, CREDENCE :
DEVELOPMENT INC., RICHARD DELISI, :
ADELAIDE FAULKNER, PAUL ESPEL, :
CAROL ESPEL, DAWN FORNOFF, RICHARD :
BURTON, GARY MARINA, and JOHN DOE :
NO. "1" through "10" inclusive, the names of the :
last ten defendants being fictitious, the true names :
being unknown to plaintiff, the parties intended :
being those having an ownership interest in :
property effected by a certain easement described :
in the complaint, :

Defendants. :
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Civil Action No. 07 cv 5739 (KMK)
ECF CASE

**NOTICE OF MOTION FOR
SUMMARY JUDGMENT**

PLEASE TAKE NOTICE that upon the accompanying Rule 56.1 statement, Declarations of Andrew G. Lake, dated May 14, 2008, and Scott S. McKessy, dated May 14, 2008, and the exhibits annexed thereto and Memorandum of Law in Support of Plaintiff's Motion for Summary Judgment, Plaintiff Columbia Gas Transmission Corporation, by and through its

attorneys, Reed Smith LLC, will move this Court, at United States Courthouse for the Southern District of New York, located at 300 Quarropas Street, White Plains, New York, for an order granting summary judgment pursuant to Rule 56(c) of the Federal Rules of Civil Procedure, as well as for such other further and different relief as this Court deems just and proper.

Dated: New York, New York
May 14, 2008

REED SMITH LLP

By: /s/ Scott S. McKessy
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Richard Delisi*